Public Law 89-202

AN ACT

September 25, 1965
[H. R. 10323]

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1966, for military construction functions administered by the Department of Defense, and for other purposes, namely:

Military Construction Appropriation Act, 1966.

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $323,443,000, to remain available until expended.

72 Stat. 1459, 1460.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy as currently authorized in military public works or military construction Acts, in Public Law 88–637, and in sections 2673 and 2675 of title 10, United States Code, including personnel in the Bureau of Yards and Docks and other personal services necessary for the purposes of this appropriation, $316,305,000, to remain available until expended.

78 Stat. 1034.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force as currently authorized in military public works or military construction Acts, in sections 2673 and 2675 of title 10, United States Code, $348,273,000, to remain available until expended: *Provided*, That $4,401,000 heretofore appropriated under this head to be used only for the construction of solar facilities at Holloman Air Force Base, may be used for any of the purposes of this appropriation.

MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation and equipment of temporary or permanent public works, installations and facilities for activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $64,268,000, to remain available until expended; and, in addition, not to exceed $20,000,000 to be derived by transfer from the appropriation "Research, development, test, and evaluation, Defense Agencies" as determined by the Secretary of Defense: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate.

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MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $10,000,000, to remain available until expended.

70A Stat. 120.
10 USC 2231-2238.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $10,000,000, to remain available until expended.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $9,500,000, to remain available until expended.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $4,000,000, to remain available until expended.

LORAN STATIONS, DEFENSE

For construction of additional loran stations by the Coast Guard, $5,000,000, to remain available until expended, which shall be transferred on approval of the Secretary of Defense to the appropriation, "Acquisition, construction, and improvements", Coast Guard.

FAMILY HOUSING, DEFENSE

For expenses of family housing for the Army, Navy, Marine Corps, Air Force, and Defense agencies, for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges and insurance premiums, as authorized by law, $665,846,000, to be obligated and expended in the Family Housing Management Account established pursuant to section 501(a) of Public Law 87-554, in not to exceed the following amounts:

76 Stat. 236.
42 USC 1594a-1.

For the Army:
Construction, $39,845,000;
Operation, maintenance, $132,477,000;
Debt payment, $48,172,000.
For the Navy and Marine Corps:
Construction, $65,862,000;
Operation, maintenance, $65,487,000;
Debt payments, $31,325,000.

For the Air Force:
Construction, $70,934,000;
Operation, maintenance, $119,662,000;
Debt payment, $89,387,000.
For Defense agencies:
Construction, $406,000;
Operation, maintenance, $2,289,000.

Provided, That the amounts provided under this head for construction, shall remain available until expended.

GENERAL PROVISIONS

Prior appropriations.

SEC. 101. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the first session of the Eighty-ninth Congress.

Contracts.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

Expediting costs.

SEC. 103. None of the funds appropriated in this Act shall be expended for additional costs involved in expediting construction unless the Secretary of Defense certifies such costs to be necessary to protect the national interest and establishes a reasonable completion date for each project, taking into consideration the urgency of the requirement, the type and location of the project, the climatic and seasonal conditions affecting the construction and the application of economical construction practices.

Bakery facilities, etc.

SEC. 104. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or drycleaning facility in the United States, its territories, or possessions, as to which the Secretary of Defense does not certify, in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Motor vehicle hire.

SEC. 105. Funds appropriated to the Department of Defense for construction are hereby made available for hire of passenger motor vehicles.

Access roads.

SEC. 106. Funds appropriated to the Department of Defense for construction may be used for advances to the Bureau of Public Roads, Department of Commerce, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

72 Stat. 908.

New bases.

SEC. 107. None of the funds appropriated in this Act may be used to begin construction of new bases for which specific appropriations have not been made.

Obstetrical services.

SEC. 108. No part of the funds contained in this Act shall be used for the construction of hospitals or composite medical facilities which do not provide facilities for obstetrical services.

Land easements, etc.

SEC. 109. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than $25,000.

Foreign projects.

SEC. 110. None of the funds appropriated in this Act may be used to make payments under contracts for any project in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

Short title.

SEC. 111. This Act may be cited as the "Military Construction Appropriation Act, 1966".

Approved September 25, 1965.

Public Law 89-203

September 25, 1965
[S. J. Res. 5]

JOINT RESOLUTION

Designating the bridge crossing the Washington Channel near the intersection of the extension of Thirteenth and G Streets Southwest the "Francis Case Memorial Bridge".

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was known and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored many measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through his remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the